

REMARKS/ARGUMENTS

Objection to Drawings

Applicant respectfully submits that the objection to the Drawings has been overcome by new FIG. 7 attached hereto which shows a "bicycle seat assembly" and a "fixed component" (shown in FIG. 7 as the bicycle frame and described as the bicycle frame in the amendments to the specification above). Applicant respectfully submits that the drawings objections relating to the "receiving member" and the "first and second members" have been overcome by the amendments to the specification. The amendments to the specification describe the "receiving member" and the "first and second members" so that it is clear that they appear in the figures as originally filed. Applicant respectfully submits that no new matter has been added to the drawings.

Objection to Specification

Applicant has amended the specification so as to include the specific terms: "bicycle seat assembly," "fixed component," "receiving member," and "first and second members." Applicant respectfully submits that the addition of these terms to the specification does not add new matter to the application because all of the above quoted elements were described in the application as originally filed even though different words may have been used to describe the elements.

35 USC § 112 Rejections

Applicant respectfully submits that the 35 USC § 112 second paragraph rejection has been overcome in new Claim 24 because all of the terms in the preamble of Claim 24 have been positively claimed in the body of Claim 24.

Amendments to the Drawings:

New FIG. 7 has been added to the specification and is attached hereto. FIG. 7 shows the "bicycle seat assembly" as reference number 40, and the "fixed component" (bicycle frame) as reference number 42. Applicant respectfully submits that no new matter has been added because the elements shown in FIG. 7 were described in the application as it was originally filed.

Allowable Subject Matter

Applicant has cancelled claims 1-15, 18, 19, and 21-23 without prejudice so that they may be later prosecuted in a continuation application. The Examiner has indicated that Claim 7 is directed to allowable subject matter. Applicant has rewritten Claim 7 as new Claim 24, which is written in independent form and includes all of the limitations of Claim 7 including the limitations of the base claim and all intervening claims.

It is respectfully submitted that this response places Applicant's application in condition for allowance, and therefore further and favorable action on this application is requested.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 4, 2004.


Ryan N. Carter, Registered Representative